

### **REMARKS**

Claims 1-64 are pending in the present application. Applicant respectfully requests reconsideration of the pending Claims in view of the following remarks.

#### **Telephonic Interview**

Applicant thanks the Examiner (Sharad K. Rampuria) and the Examiner's supervisor, George Eng, for the courtesies extended to Applicant's attorney, Sanders N. Hillis (reg. no. 45,712) during a telephonic interview that occurred on October 2, 2007. During the interview, Claims 1, 5, 23, 27, 46, and 49, U.S. Patent No. 6,115,611 to Kimoto et al., and U.S. Patent No. 6,295,454 to Havinis were discussed. Agreement was reached that neither Kimoto nor Havinis taught or suggested each and every limitation of the discussed Claims. It was further agreed that more search and consideration of the currently pending claims would be necessary as a result of the discussion.

#### **Claim Rejections pursuant to 35 U.S.C. §103(a)**

Claims 1-62 were rejected pursuant to 35 U.S.C. §103(a) as being obvious in view of the combination of U.S. Patent No. 6,115,611 to Kimoto et al. (hereinafter "Kimoto") in view of U.S. Patent No. 6,295,454 to Havinis et al. (hereinafter "Havinis"). Applicant respectfully traverses these rejections because the cited combinations of the art fail to teach, suggest, or disclose each and every limitation of the Claims, and thus a *prima facie* case of obviousness in view of the cited art cannot be maintained.

#### **Claims 1-22 and 61**

The method of Claim 1 describes identifying, with said mobile communication terminal, a description format for said requested location information, and adding, at said mobile communication terminal, said acquired location information to said down data in accordance with said description format. As discussed during the Telephonic Interview, none of the cited references, either alone or in combination describe adding acquired location information to down data. To the contrary, both Kimoto and Havinis simply describe requests and responses with no teaching or suggestion that acquired location information is added to down data received with a

mobile terminal as described in Claim 1. In addition, none of the cited references, either alone, or in combination, describe identifying a description format for requested location information, and adding acquired location information to down data in accordance with the description format as also described in Claim 1. To the contrary, Kimoto and Havinis are wholly unconcerned and silent regarding a format of location data.

As also discussed during the interview, neither Kimoto nor Havinis teach or suggest a character string as described in Claims 2-4, nor substituting acquired information for a character string as described in Claim 5.

In addition, as discussed during the interview, the assertions on pages 12 and 13 of the office action mailed July 17, 2007 fail to even address the limitations of adding acquired location information to down data as described in Claim 1. Moreover, during the interview, it was agreed that neither Kimoto nor Havinis taught or suggested these limitations.

#### Claims 23-26

As discussed during the telephonic interview, Kimoto does not describe a destination mobile terminal, nor transmitting from a mobile terminal to the destination mobile terminal a pre-stored network address and acquired location information added to the pre-stored network address as described in Claim 23. Contrary to the assertions on pages 7 of the office action mailed July 17, 2007, the cited portions of Kimoto (Col. 16 lines 23-33) simply describe transmittal of position information between a single mobile terminal, and an information center. An information center is clearly not a destination mobile terminal as described in Claim 23. In addition, Kimoto makes clear that the information/service utilizing unit (14) of the mobile terminal receives from the information center (2) information or a service relating to position information of the same mobile terminal that provides the position information. (Col. 16 lines 44-50).

In addition, as also discussed during the interview, contrary to the assertions on pages 8, 13 and 14 of the office action mailed October 30, 2006, Havinis also does not describe transmittal of a pre-stored network address and acquired location information added to the pre-stored network address to a destination mobile terminal as described in Claim 23. To the contrary, Havinis describes a location application (280) LA that requests location information,

and can include in the request "an address of the LA 280 or other entity where the MS 20 must send the chronicled location information 298." (Col. 5 lines 10-11 and lines 24-26) Clearly, a location application is not a destination mobile terminal as described in Claim 23. Havinis also describes that the address of the LA can be stored by the mobile terminal, and used by the mobile terminal as a destination to which location information is sent. (Col. 5 lines 23-28) Clearly, use of a destination address to transmit location information as described by Havinis, and transmittal of a pre-stored network address added to location information as described in Claim 23 are entirely different. Thus, not only do none of the cited references either alone or in combination teach or suggest transmittal of anything to a destination mobile terminal, but also fail to describe transmittal of a pre-stored network address as described in Claim 23.

During the telephonic interview, it was agreed that neither Havinis nor Kimoto taught or suggested the limitations of Claim 23 regarding adding a pre-stored network address, nor transmittal from a mobile terminal to a destination mobile terminal of said pre-stored network address and acquired location information added to said pre-stored network.

#### Claims 27-45 and 62

Amended Claim 27 is directed to a mobile terminal that includes the limitation of processing means for identifying a description format for said requested location information, and said processing means is further configured to add said acquired location information to said received down data in accordance with said description format. Not only do neither Kimoto nor Havinis describe processing means configured to add acquired location information to received down data, but also, Kimoto and/or Havinis are silent and unconcerned with any form of description format of the acquired location information. During the telephonic interview, it was agreed that neither Kimoto nor Havinis taught or suggested processing means further configured to add said acquired location information to said received down data in accordance with said description format as described in Claim 27.

#### Claims 46-48

Contrary to the assertions on pages 10 and 11 of the office action mailed July 17, 2007, neither Kimoto nor Havinis teach or suggest transmitting means for adding said acquired

location information to a network address of a server configured to supply map information based on said location information, said map information displayable by an arbitrary terminal, or transmitting means that is configured to transmit a network address and location information for receipt by said arbitrary terminal to allow a present location of a mobile communication terminal to be mapped by said arbitrary terminal using said location information and said network address to obtain map information.

To the contrary, Kimoto is silent, as acknowledged on page 11 of the office action mailed July 17, 2007, and Havinis describes use of a network address, but only to indicate where Havinis's MS must send chronicled location information. (Col. 5 lines 24-25) What Havinis completely fails to teach or suggest is a mobile communication terminal that includes transmitting means configured to add said acquired location information to a network address of a server, and to transmit said network address and said location information to an arbitrary terminal as described in Claim 46. Thus, Havinis cannot possibly teach or suggest that a network address and location information are transmitted for receipt by an arbitrary terminal to allow a present location of a mobile communication terminal to be mapped by said arbitrary terminal using said location information and said network address to obtain map information. During the telephonic interview, it was agreed that neither Kimoto nor Havinis taught or suggested adding acquired location information to a network address of a server or transmittal of a network address and location information for receipt by an arbitrary terminal as described in Claim 46.

#### Claims 49-60

Claim 49 describes a mobile terminal that includes a radio unit configured to receive down data that includes a request for a current location and a microcomputer configured to replace a portion of the received data with acquired location information. Claim 49 further describes that after replacement, the radio unit is configured to transmit a resulting data as up data. Neither Kimoto nor Havinis describe a microcomputer included in a mobile terminal that is configured to replace a portion of received data, or a radio unit that after replacement is configured to wirelessly transmit a resulting data as up data. In fact, the office action mailed October 30, 2006 does not assert that Kimoto or Havinis meets the limitations described in Claim

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49, but rather simply disregards these limitations completely. Accordingly, it is respectfully requested that the rejection of Claims 49-60 be withdrawn as improper. (See MPEP 707 and 37 CFR §1.104(b) and 37 CFR §1.104(c)) During the telephonic interview, it was agreed that neither Kimoto nor Havinis taught or suggested such limitations.

As discussed during the interview, for at least the previously discussed reasons, neither Kimoto nor Havinis, either alone or in combination teach, suggest, or disclose each and every limitation described in Claims 1, 23, 27, 46, and 49, or the Claims dependent therefrom. Thus, a *prima facie* case of obviousness has not been established and Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejections of the pending Claims. In addition, Applicant respectfully requests that examination on the merits and the basis for the rejection of Claims 49-60 be designated and clearly explained in a non-final office action to allow the Applicant an opportunity to respond to the specific rejections. *See* MPEP 707

The presently pending claims of this application are allowable and Applicant respectfully requests the Examiner to issue a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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